

Stephanie Harlan, Chairperson
Monterey Bay National Marine Sanctuary Advisory Council

Dear Stephanie:

December 7, 2001

As you know I was not present at the October 5, 2001 Sanctuary Advisory Council Meeting. My alternate, Ed Cooper, had planned to attend but had a last minute medical problem which prevented him from attending as well.

My email dated September 14, 2001 concerning the Sanctuary modifying the diving community's press release for our September 15, 2001 Harbor Clean Up Dive in Monterey evidently caused a stir among SAC members. I was not present to defend myself or the issues involved so I am taking this opportunity to do so. I request that this letter be entered into the SAC minutes.

Sanctuary staff had offered on several occasions to post press releases for our dive event. I provided staff with press releases and staff posted these press releases verbatim on July 10, 2001 and September 10, 2001. Then on September 14, 2001, the day before the dive, staff issued another press release which was radically different from the press release that I had provided.

Among the issues involved, the Sanctuary listed a Sanctuary staff person as a contact for our event. The vast majority of phone calls I receive, as the contact for this event, are questions about safety related issues. By adding a Sanctuary staff person as a contact for our event on this press release the Sanctuary compromised the safety of our event. I don't even know if this person is a diver, let alone a dive instructor. Additionally, this person has never spoken to me about dive safety policies for this event and did not even attend the event.

The Sanctuary sent this press release out to a far greater audience than the SAC list serves. I posted the clarification to the only lists I had access to which were the SAC list serves. I had 75 divers in the water the next day who needed to be informed of safety policies for this event. So I had to respond quickly. Dan Basta also subsequently posted an email stating our press release should not have been altered without our permission.

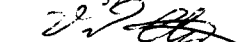
The other issue that needs to be addressed is that the minutes of the last SAC meeting state the SAC "unanimously agreed to a protocol of behavior" at the Cambria SAC retreat. I would like to point out that:

1. The term "protocol of behavior" was never used during the SAC retreat. Therefore the minutes are not accurate.
2. This "agreement" was not voted on. Therefore the "unanimous" part of the statement in the minutes is not accurate.
3. No motion was made for this "agreement".
4. No language for this "agreement" was offered.
5. Changes to SAC protocols come from public meetings not retreats.

People came away from the "agreement" with different ideas as to what the agreement was. Our SAC Chairperson told me on the phone that the "agreement" was to use the list serves for announcements only. This is not what the minutes of the October 5, SAC meeting states. Another issue is if the SAC does not follow normal voting procedures on issues how are new SAC members supposed to know of unwritten "agreements" made at SAC retreats.

The discussion at the SAC retreat was vague with no agreed upon language being put forth. Therefore it is unfair to hold a SAC member to an unwritten "agreement" for which there is no language to reference to insure one is staying within the "agreement".

Sincerely,



David R. Clayton, Diver Representative
MBNMSAC